IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

WP(C).No. 28290 of 2006(P)

PETITIONER:

REETHA FRANCIS,
D/O.ELIYAMMA, AGED 38,
KACHAPPALLY HOUSE,
VALLYAPPANPADY,
U.C.COLLEGE,PO, ALUVA.

BY ADV. SRI.C.MURALI

RESPONDENTS:
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1. KERALA STATE ELECTRICITY BOARD,

2. EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ALUVA,.

BY SR.GOVERNMENT PLEADER SRI.MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.28290/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REPORT AND PLAN SUBMITTED BY THE COMMISSIONER.

EXT.P2:- COPY OF THE FINAL DECREE PASSED BY THE TRIAL COURT.

EXT.P3:- COPY OF THE VOTERS LIST OF THE PARAVOOR ASSEMBLY CONSTITUENCY.

EXT.P4:- COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR ELECTRIC CONNECTION BEFORE THE EXECUTIVE ENGINEER KSEB , ALUVA.

EXT.P5:- THE ACKNOWLEDGEMENT CARD SHOWING THE RECEIPT OF APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE EXECUTIVE ENGINEER, KERALA STATE ELECTRICITY BOARD, ALUVA.

EXT.P6:- COPY OF THE REPLY DT.5.12.06.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 28290 OF 2006-P

JUDGMENT

After filing a representation for granting electricity connection, this Writ Petition was filed. The respondent submitted that no formal application is received from the petitioner for power connection. But, during the pendency of the writ petition, the petitioner has filed a formal application. The Assistant Engineer of the Electrical Section, by Ext.P6 communication, informed her to produce the ownership certificate from the local body for granting connection. The petitioner submits, she is in occupation of the premises, for which electricity connection is sought. The question of ownership is pending before the civil court in a partition suit. Therefore, it may not be possible to produce the ownership certificate as directed by the Assistant Engineer, it is submitted.

2. I heard the learned standing counsel for the K.S.E.B also. If the petitioner is found to be in occupation of the premises for which power supply is sought, the same shall be granted as provided under Regulation 14(5) of the K.S.E.B. Terms and Conditions of Supply, 2005, provided the application is otherwise in order. This, the 2nd respondent shall do within

one month from the date of production of a copy of this judgment.

The Writ Petition is disposed of as above.

23rd March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/